

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

MATTHEW CHAMLIN, individually and on
behalf of all others similarly situated,

Plaintiff,

v.

JOHNSON & JOHNSON and McNEIL
NUTRITIONALS, LLC,

Defendants.

Case No. 1:19-cv-03852-AJN

NOTICE OF MOTION TO DISMISS THE COMPLAINT

PLEASE TAKE NOTICE that upon the accompanying Memorandum of Law in Support of Defendants' Motion to Dismiss the Complaint, the undersigned will move this Court, before the Honorable Alison J. Nathan, at the United States District Courthouse located at 40 Foley Square, Courtroom 906, New York, New York 10007, on a date and time to be set by the Court, to dismiss the Complaint with prejudice for failure to state a claim under Federal Rule of Civil Procedure 12(b)(6). Under the Court's So-Ordered Stipulation, dated September 24, 2019 (ECF No. 16), Plaintiff's answering papers, if any, are due on November 6, 2019, and Defendants' reply papers, if any, are due on November 26, 2019.

Dated: September 24, 2019
New York, New York

O'MELVENY & MYERS LLP

/s/ Hannah Y. Chanoine

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